

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 75-94

RATIFICATION OF ACTION OF THE EXECUTIVE OFFICER AND OF THE CHIEF OF THE DIVISION OF ADMINISTRATIVE SERVICES IN EXECUTING CONTRACTS NECESSARY FOR THE PERFORMANCE OF THE EROSION CONTROL GRANT AUTHORIZED BY RESOLUTION NO. 74-53, AND AUTHORIZING THE EXECUTIVE OFFICER AND THE CHIEF OF THE DIVISION OF ADMINISTRATIVE SERVICES TO EXECUTE ADDITIONAL CONTRACTS NECESSARY FOR COMPLETION OF THE STUDY

WHEREAS:

1. On June 20, 1974, the State Board adopted Resolution No. 74-53 which authorized the Executive Officer to accept a Demonstration Grant for erosion control and to negotiate and execute any contracts required to accept the grant.
2. The U. S. Environmental Protection Agency awarded and the State Board accepted a Demonstration Grant No. S803181-01 for a three-year study "Demonstration of Erosion and Sediment Control Technology" on July 5, 1974.
3. Portions of the Rubicon Glen Subdivision and the Rubicon Properties both in El Dorado County and the Northstar-at-Tahoe Development in Martis Valley of Placer County have been designated as sites for this project. The erosion control work will also entail work in other areas within and adjacent to the Lake Tahoe Basin.
4. At the project site in El Dorado County the State Board has sought written permission from the private landowners to gain access to the private real property for the purpose of surveying, revegetation and rock riprapping existing drainage ditches and for incidental purposes related thereto. Approximately fifty such agreements have been executed by the Chief of the Division of Administrative Services on the behalf of the State Board. A copy of the standard license agreement is attached and made a part hereof.
5. Since most of the erosion control work by the State Board at the project site in El Dorado County is confined to the steep cuts, fills, and drainage ditches within the right of way of the roads maintained by the County of El Dorado, a cooperative agreement with the County of El Dorado was deemed essential by the staff of the State Board for the successful performance of the erosion control study. Standard Agreement No. 51D400

between the State Board and the County of El Dorado was executed by the Executive Officer on the behalf of the State Board to perform necessary erosion control work. A copy of such agreement is attached and made a part hereof. It essentially provides that the County will perform, under the direction of the State Board project engineer, necessary erosion control work within the County road right of way at the expense of the County. For approved erosion control work outside the County road right of way the agreement provides that the State Board shall reimburse the County for such costs. In addition, the agreement provides that if the County is required to rent special equipment to perform any approved erosion control work that the State Board shall reimburse the County for the cost of such equipment at the rate established by the California Department of Transportation. The total compensation paid by the State Board to the County does not exceed the sum of Twenty Thousand Dollars (\$20,000).

6. At the project site in El Dorado County, the State Board has also sought Supplementary License Agreements with the appropriate private landowners to allow the State Board to conduct more extensive work for the following purposes on the entire cut slope area: to regrade the tops of the road cuts, to remove overhangs, to roundoff the tops of the road cuts, and to remove certain vegetation as specifically described in exhibits for each parcel. Approximately fifteen such agreements will be required for the performance of the erosion control study. A copy of one such license agreement is attached and made a part hereof.
7. The staff of the State Board also needs the assistance of the Board of Regents, University of California, through the Department of Environmental Horticulture, at Davis to provide technical assistance, necessary chemicals, plant seeds, and other materials. Standard Agreement No. 50E220 between the State Board and the Board of Regents provides for such services and materials. The total compensation paid by the State Board to the Board of Regents does not exceed the sum of Twenty-seven Thousand Nine Hundred and Sixty-eight Dollars (\$27,968).
8. Concern has been expressed whether Resolution No. 74-53 authorized the Executive Officer or the Chief, Division of Administrative Services, to execute any contracts necessary for the performance of the erosion control study.

THEREFORE BE IT RESOLVED:

1. That the State Board ratifies the action of the Chief, Division of Administrative Services, in executing the license agreements specified in paragraph 4 above, and authorizes the Chief, Division of Administrative Services, to execute any similar license agreement necessary for the performance of the erosion control study.
2. That the State Board ratifies the action of the Executive Officer in executing Standard Agreement No. 51D400 between the State Board and the County of El Dorado and authorizes the Executive Officer to negotiate and execute any amendments to said agreement necessary for the performance of the erosion control study.
3. That the State Board authorizes the Executive Officer to execute Standard Agreement No. 50E220 between the State Board and the Board of Regents, University of California through the Department of Horticulture at Davis for a sum not to exceed Twenty-seven Thousand Nine Hundred and Sixty-eight Dollars (\$27,968).
4. That the State Board authorizes the Executive Officer, Deputy Executive Officer, or Chief, Division of Administrative Services, to execute other contracts for services and materials and other license agreements necessary for the performance of the erosion control study.
5. That the authority delegated herein shall not apply to any matters which are of a unique or unusual nature, which appear to depart from the policies of the State Board, or which any Board member requests be brought to a State Board business meeting for consideration.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 18, 1975.

Bill B. Dendy

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Executive Officer